

REMARKS

Claims 1, 9-16, 19 and 20 are pending in the application. The Examiner's reconsideration of the rejections in view of the amendments and remarks is respectfully requested.

Claims 1-16, 19, and 20 have been rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter.

Claims 1 and 19 are the independent claims. Claims 2-8 have been cancelled.

Referring to Claims 1-16, Claims 1-16 are directed "a terminal for communicating over a computer-network using a dual tone multiple frequency (DTMF) message, wherein the terminal encodes the DTMF message and said DTMF message comprises, a Protocol Data Unit encoded in accordance with a Simple Supplementary Services Protocol (SSSP) and carried via said DTMF message." A terminal for communicating over a computer-network as claimed in Claims 1-16 is a machine, which is a useful, concrete and tangible. Thus, Claims 1 and 9-16 are believed to be directed to statutory subject matter.

Referring to Claims 19 and 20, which are directed to "a computer-implemented method of encoding a Protocol Data Unit"; Claim 19 claims, *inter alia*, "transmitting the message having a selected encoding between communications terminals." The computer-implemented method is a process having a useful, concrete and tangible result, e.g., message transmission between communications terminals. Therefore, Claims 19 and 20 are believed to be directed to statutory subject matter.

Accordingly, reconsideration of the rejection is respectfully requested.

Claims 1-16 and 18-20 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Korpi (U.S. Patent No. 6,621,814). The Examiner stated essentially that the teachings of Korpi teach or suggest all the limitations recited in claims 1-16 and 18-20.

Claim 1 claims, *inter alia*, “a terminal for communicating over a computer-network using a dual tone multiple frequency (DTMF) message, wherein the terminal encodes the DTMF message and said DTMF message comprises, a Protocol Data Unit encoded in accordance with a Simple Supplementary Services Protocol (SSSP) and carried via said DTMF message.” Claim 19 claims, *inter alia*, “A computer-implemented method of encoding a Protocol Data Unit in accordance with a Simple Supplementary Services Protocol and transmitting said Protocol Data Unit via a message formatted for network communications comprising: selecting between an alpha numeric string encoding for transmitting the message for voice over IP network communications and a dual tone multiple frequency string encoding for transmitting the message for dual tone multiple frequency network communications.”

Korpi teaches a method for transmitting voice data in data packets with additional performance features (see col. 2, lines 45-52).

Referring to Claim 1, Korpi fails to teach or suggest “a Protocol Data Unit encoded in accordance with a Simple Supplementary Services Protocol (SSSP) and carried via said DTMF message” as claimed in Claim 1. Korpi teaches communications via H.323 formatted data (see col. 7, lines 57-60). Korpi’s H.323 data communication does not support a Protocol Data Unit encoded in accordance with a SSSP carried via a DTMF message, essentially as claimed in Claim 1. Indeed, nowhere does Korpi teach or suggest DTMF communications. Thus, Korpi fails to teach or suggest all the limitations of Claim 1.

Referring to Claim 19, Korpi fails to teach or suggest “selecting between an alpha numeric string encoding for transmitting the message for voice over IP network communications and a dual tone multiple frequency string encoding for transmitting the message for dual tone multiple frequency network communications” as claimed in Claim 19. Korpi teaches voice data

in data packets, H.323 systems. The encoding of voice in data packets is not analogous to a Protocol Data Unit carried via a DFMF message, essentially as claimed in Claim 19. Korpi fails to teach or suggest a DTMF message, nor, selecting among different encodings, much less, "selecting between an alpha numeric string encoding for transmitting the message for voice over IP network communications and a dual tone multiple frequency string encoding for transmitting the message for dual tone multiple frequency network communications" as claimed in Claim 19.

Therefore, Korpi fails to teach or suggest all the limitations of Claim 19.

Under such circumstances the Examiner's reconsideration of the rejection is respectfully requested.

Claims 9-16 depend from Claim 1. Claim 20 depends from Claim 19. The dependent claims are believed to be allowable for at least the reasons given for Claims 1 and 19. Claim 18 has been cancelled. Claims 2-8 have been cancelled. Reconsideration of the rejection is respectfully requested.

For the forgoing reasons, the application, including Claims 1, 9-16, 19 and 20, is believed to be in condition for allowance. Early and favorable reconsideration of the case is respectfully requested.

Respectfully submitted,

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